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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MOORTHY, ARAVIND K

ART UNIT PAPER NUMBER

2131

DATE MAILED: 05/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/492,454

Applicant(s)

YANG, XIAOWEN

Examiner

Aravind K. Moorthy

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This is in response to the amendment filed on 24 February 2005.
2. Claims 1-22 are pending in the application.
3. Claims 1-22 have been rejected.

Response to Arguments

4. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Nardone et al U.S. Patent No. 6,415,031 B1.**

As to claim 1, Nardone et al discloses a device to descramble a packetized digital data stream, comprising:

a receiver to receive a packet of a digital data stream wherein only some of a plurality of data packets within the digital data stream are scrambled [column 4, lines 13-41], the packet including a header portion and a data payload, the data payload including a scrambled central portion and an unscrambled portion [column 3, lines 44-64]; and

a descrambler to descramble the scrambled central portion of the data payload of the packet [column 3 line 65 to column 4 line 12];

wherein the header portion is entirely unscrambled [column 3 line 65 to column 4 line 12].

As to claim 2, Nardone et al discloses that the scrambled central portion of the data payload is at a location within the payload portion of the packet such that the scrambled central portion is preceded and succeeded by the unscrambled portion [column 3, lines 44-64].

As to claims 3, 11, 16, 18, 20 and 22, Nardone et al teaches that the digital data stream is an MPEG-2 digital data stream [column 2, lines 56-67].

As to claim 4, Nardone et al discloses that the packet contains compressed digital data [column 3, lines 1-18].

As to claim 5, Nardone et al discloses that the compressed digital data includes a video signal [column 3, lines 1-18].

As to claim 6, Nardone et al discloses that the compressed digital data includes an audio signal [column 3, lines 1-18].

As to claim 7, Nardone et al discloses that the compressed digital data includes a video signal and an audio signal [column 3, lines 1-18].

As to claims 8 and 17, Nardone et al discloses a method of scrambling a packetized digital data stream, comprising:

producing a data packet stream comprising a plurality of data packets [column 3, lines 44-64]; and

scrambling a first central portion of a data payload of some of the plurality of data packets within the data packet stream and without scrambling a header of the some of the plurality of data packets while leaving remaining ones of the plurality of data packets unscrambled [column 3, lines 44-64].

As to claim 9, Nardone et al discloses that the scrambling leaves a second portion of the data payload of each of the some of the plurality of data packets unscrambled [column 3, lines 44-64].

As to claims 10 and 19, Nardone et al discloses a method of scrambling a packetized digital data stream, comprising:

producing a data packet stream comprising a plurality of data packets [column 11, lines 32-57]; and

scrambling only a central portion of every n th one of the plurality of data packets, where n is an integer greater than 1, leaving remaining ones of the plurality of data packets unscrambled [column 11, lines 32-57].

As to claim 12, Nardone et al discloses compressed video data [column 3, lines 1-18].

As to claim 13, Nardone et al discloses compressed audio data [column 3, lines 1-18].

As to claim 14, Nardone et al discloses compressed video data and compressed audio data [column 3, lines 1-18].

As to claims 15 and 21, Nardone et al discloses a method of descrambling a packetized digital data stream, comprising:

receiving a data packet stream comprising a plurality of data packets [column 3 line 65 to column 4 line 12]; and

descrambling only a central portion of every nth one of the plurality of data packets, where n is an integer greater than 1, leaving remaining ones of the plurality of data packets as received [column 3 line 65 to column 4 line 12].

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy *AM*
May 3, 2005

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